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SUBJECT: ANTI-JEHOVAH'S WITNESS CAMPAIGN ENTERS NEW PHASE

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Classified By: Pol Min Counselor Susan Elliott for reason 1.4 (d)

¶1. (C) Summary: A recent Gorno-Altaysk court ruling that Jehovah's Witness publications are "extremist" adds a new layer of complication to persecution of Jehovah's Witnesses throughout the country. Harassment and court cases continue apace, and the fact that the only two recent court decisions in their favor did not involve the question of extremism indicates that Jehovah's Witnesses could find themselves seriously backed into a corner if the "extremism" charge against their literature holds country-wide. Notwithstanding support from the Human Rights Ombudsman's Office, Jehovah's Witness members find themselves with few friends either at the government or at the societal level. End Summary.

¶2. (SBU) On October 1, the Gorno-Altaysk City Court ruled that 18 publications distributed by Jehovah's Witnesses were "extremist." The judge based this decision on the opinion of court-appointed, local "experts" who had previously made public negative comments about Jehovah's Witnesses. According to these "experts," the publications in question contained "signs of incitement and religious discord."

¶3. (C) A prominent campaign to squeeze Jehovah's Witnesses has been underway at least since February, when the General Prosecutor's office ordered its staff to investigate -- in coordination with the Federal Security Service -- Jehovah's Witness organizations throughout the country (ref A). However, this decision (in conjunction with a similar one made at the federal level in September) marks the first time that courts have declared Jehovah's Witness literature to be extremist. Geraldine Fagan, whose Forum 18 organization provides news updates on religious freedom issues, told us in September that such decisions, even when they take place at the local level, establish a precedent which may apply throughout the country. According to Fagan, this process often happens haphazardly, with local magistrates unaware of the wide impact of their decisions.

¶4. (C) According to Jehovah's Witness attorney James Andrik, the Jehovah's Witness Central Committee plans to appeal this "extremism" decision to the Supreme Court of the Altaysk Region, but he strongly doubted that the appeal would be successful, as the Altaysk Supreme Court is in the same building as the trial court and the judges are associates. He also noted that the Altaysk Supreme Court would be the court of final appeal in this case, and that they lacked the ability to take the case to the Supreme Court of the Russian Federation. Andrik himself remains in the U.S., having averted deportation in May (ref B). When he attempted to re-enter the country on July 2, just prior to the visit of President Obama, officials detained him at Domodedovo Airport for 23 hours before sending him back to the United States.

¶5. (C) Although Jehovah's Witness organizations continue to be targeted for threats and/or liquidation (ref C), the decision on its "extremist" literature opens up a new front, as Jehovah's Witness congregations will be unable to spread

their message if their literature is banned. Andrik also informed us that a shipment of Jehovah's Witness literature had been detained at the border by customs officials in Bryansk. Russia's Supreme Court is still considering whether to include Jehovah's Witness literature in a list of materials deemed extremist by the Justice Ministry.

¶6. (C) Meanwhile, the litany of cases against Jehovah's Witness communities continues, with occasional victories for the beleaguered group. On September 11, the Rostov Regional Court liquidated the Taganrog Local Religious Order (LRO), and on September 30, the Petrodvorets District Prosecutor's Office raided a Jehovah's Witness religious meeting in a Kingdom Hall of Jehovah's Witnesses in the St. Petersburg suburb of Strelna. Although they lacked a search warrant, officials entered the meeting hall and detained the 68 individuals who were meeting, on the grounds of "extremism." On the plus side, on September 22 Russia's Supreme Court upheld a decision by the Kaliningrad Regional Court not to liquidate the local Jehovah's Witness religious order. Perhaps tellingly, however, both in this instance and in a positive decision in Samara in August, the court was not asked to factor "extremism" into its decision. Therefore, the trend towards designating all Jehovah's Witness materials as "extremist" is alarming, according to Andrik. Since the February announcement from the General Prosecutor, Jehovah's Witness organizations have undergone over 500 inspections, with a total of nine ongoing court cases against the Church during the year.

¶7. (C) Speaking with us on October 20, Jehovah's Witness Presiding Committee member Yaroslav Sivulskiy called these

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events "a return to Soviet-era persecution." He noted that "extremism" is a strange label to attach to a religion that is completely apolitical. He professed bewilderment as to the reasons for the anti-Jehovah's Witness campaign, simply saying that "it appears that the Orthodox Church does not like our work." He also noted that Aleksandr Dvorkin, head of the Ministry of Justice's Commission for the Implementation of State Expertise on Religious Science, and self-styled expert on "cults," had initiated a campaign to discredit Jehovah's Witness members in the public eye. According to Sivulskiy, Dvorkin had appeared on NTV and accused Jehovah's Witnesses of committing macabre crimes.

Comment

¶8. (C) Jehovah's Witness members appear to have few friends in high places, notwithstanding Human Rights Ombudsman Vladimir Lukin's attempt to raise the issue of anti-Jehovah's Witness persecution with the General Prosecutor (ref C). Unpopular practices of theirs such as refusal to serve in the military (though protected by the Russian Constitution), or practices that are not widely understood, such as refusal to receive blood transfusions, further complicate Jehovah's Witness members' position in society, as they lack sympathy in the court of public opinion. Nonetheless, Jehovah's Witnesses exist in over 200 countries around the world, and Russia is the only one in Europe where they are facing this level of obstruction to the free practice of their religion. We will continue to point this out in our conversations with our GOR interlocutors.
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